

**TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION,  
IOWA[751]**

**Notice of Intended Action**

**Proposing rule making related to billing services provided on behalf of an authorized  
network user and providing an opportunity for public comment**

The Iowa Telecommunications and Technology Commission (Commission) hereby proposes to amend Chapter 17, “Miscellaneous,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 8D.3(3)“b.”

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 8D.11(5) as enacted by 2021 Iowa Acts, House File 805.

*Purpose and Summary*

2021 Iowa Acts, House File 805, authorizes the Commission to provide billing services on behalf of an authorized user of the network that seeks to bill another entity that is receiving services from that authorized user pursuant to the network. This proposed rule making implements that change.

*Fiscal Impact*

The fiscal impact may include savings to an agency that has the Commission bill on its behalf and thus avoids the cost of establishing its own billing system. There may also be revenue generated if the agency is currently not billing for services as a result of not having its own billing system.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 16.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Commission no later than 4:30 p.m. on January 18, 2022. Comments should be directed to:

Mark Johnson  
Iowa Telecommunications and Technology Commission  
Grimes State Office Building  
400 East 14th Street  
Des Moines, Iowa 50319  
Phone: 515.725.4608  
Email: [mark.johnson@iowa.gov](mailto:mark.johnson@iowa.gov)

### *Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Adopt the following new rule 751—17.6(8D):

#### **751—17.6(8D) Billing services on behalf of authorized user.**

**17.6(1)** Pursuant to an agreement between the commission and an authorized user, the commission may provide billing services on behalf of the authorized user and charge another entity that receives services from the authorized user pursuant to the network if all of the following conditions are satisfied:

*a.* The services provided by the authorized user to the other entity must be consistent with the mission of the authorized user.

*b.* The services provided by the authorized user to the other entity must be consistent with the following requirements and limitations:

(1) The services provided by the authorized user are the services of the authorized user and are not communications services that the commission is authorized to provide only to its authorized users.

(2) The services provided by the authorized user to the other entity are being delivered to the other entity through the network.

(3) The services provided by the authorized user to the other entity are not being provided in a manner that is contrary to any other restrictions contained in Iowa Code chapter 8D.

**17.6(2)** This rule is not intended to limit the ability of the commission to recover damages from another entity on behalf of an authorized user for damage to the authorized user’s network that is being managed or maintained by the commission on behalf of the authorized user.

This rule is intended to implement Iowa Code section 8D.11.